

Docket No.: P-0204

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Chin Tae KIM, Sung Yeob LEE and Tae
Gyu LEE

Confirmation No.: 9587

Serial No.: 09/837,291



Group Art Unit: 3628

Filed: April 19, 2001

Examiner: Chin Tae Kim

Customer No.: 34610

For: PURCHASING SYSTEM ON INTERNET AND METHOD THEREOF

PRE-APPEAL BRIEF REQUEST FOR REVIEW

U.S. Patent and Trademark Office
Customer Service Window - Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this Request. This Request is being filed with a Notice of Appeal. The review is requested for the reasons stated below in the Remarks.

REMARKS

This review is being requested because Applicants believe that the rejections of record from the Examiner are clearly not proper and are without basis. For example, the Examiner commits a clear error in basing his support for the rejections of claims 1 and 3-19 on the mere statement in Applicants' background of the invention that purchasing technology has been applied to the Internet. The Examiner provides no references that support his "well known in the art" assertions, and provides no appropriate motivation for one of ordinary skill in the art to combine the disclosure in Applicants' background of the invention with the concepts of the Internet and specifically the concepts as recited the claims of the present application (see, Applicants' arguments in the Amendment filed July 6, 2006, pages 12-15 and 20).

Moreover, the Examiner commits a clear error in asserting that an invention providing an advantage of increased speed and efficiency is not a patentable invention, and that the Applicant is not claiming specific features or structures that make the automation possible, when the claims in the present invention clearly recite at least one server that performs the various automatic purchasing functions of Applicants' claimed invention. Further, the Examiner ignores the details of structure recited in claim 8 directed toward a purchasing system which recites a web server, an internal database, and an external database as well as claim 13 that recites a plurality of region terminals, a plurality of region servers, and a main server (see, Applicants' Figs 8, 9 and Applicants' arguments in the Amendment filed July 6, 2006, pages 15 and 20).

Further, the Examiner commits a clear error in asserting that that De La Motte et al. discloses identifying whether vendors satisfy minimum attributes set by a buyer, (see, Applicants' arguments in the Amendment filed July 6, 2006, pages 16 and 18).

The Examiner also commits clear error in asserting that "it is exceedingly clear that DE

did not mention in the slightest in col. 2, lines 1-4, products and factories of suppliers being evaluated by an independent organization, contrary to the Applicants assertion in the remarks” when De La Motte et al. clearly discloses, starting at col. 1 in paragraph 12 extending to col. 2, that “both the products and factories of suppliers are evaluated by an independent, quality-control measurement organization, which applies ratings to the products and factories in accordance with the standardized rating system.”

In addition, the Examiner commits clear error in asserting that De La Motte et al. discloses identifying vendors satisfying minimum attributes set by a buyer, by De La Motte et al.’s remote buyers developing RFQs describing details of the products that they offer, when attributes of a product are not satisfying minimum attributes of a vendor set by a buyer.

Moreover, the Examiner commits clear error in asserting that De La Motte et al., discloses registering vendors that satisfy minimum attributes (see, Applicants’ arguments in the Amendment filed July 6, 2006, pages 17 and 18).

Further, the Examiner commits clear error in asserting that De La Motte et al., discloses identifying whether vendors satisfy minimum attributes set by a buyer, when De La Motte et al. does not disclose to automatically select a qualified vendor to the buyer based on the database information and the selection criteria collected from the buyer, as recited in the claims of the present application (see, Applicants’ arguments in the Amendment filed July 6, 2006, pages 17 and 19).

CONCLUSION

Accordingly, Applicants respectfully request that the rejections be withdrawn and that claims 1, 3-29 and 34 be allowed.

Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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